

**WASHINGTON COUNTY COMMISSION MEETING**  
**MINUTES**  
**FEBRUARY 16, 2010**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on February 16, 2010, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Denny Drake, County Administrator Dean Cox, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall.

*The Spectrum* was represented by Brian Ahern at the meeting.

Commissioner Drake led the Pledge of Allegiance.

**AGENDA**

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

Consideration of Auditor Approved Claims for Payment for February 3, 2010, through February 16, 2010

Consideration of Request(s) for Property Tax Abatement (2)

Joyce Chabot, Serial Number SG-BLH-12-147; and David Greenwood, Serial Number W-CSP-2-88

Consideration of Administrative Adjustments / Real Property

Consideration of Re-Appointment of Chris Blake (Environmental Representative) and Karl Wilson (Mayors' Association Representative) to the Habitat Conservation Advisory Committee (HCAC) for terms to end 2/28/12

Consideration of Renewal of Agreement for Enterprise School Resource Officer/ Washington County Sheriff's Office

**ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION: 02-09-10 / None**

It was noted that the Consent Agenda item referring to an ordinance amendment was a duplicate of Item Number 4 on the Regular Agenda, and should therefore be removed from the Consent Agenda.

**MOTION: Motion by Commissioner Drake to Approve the Consent Agenda, with the ordinance amendment removed. Motion seconded by**

**Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**REGULAR AGENDA ITEMS FOR CONSIDERATION:**

**EMERGENCY SERVICES REPORT / CORY PULSIPHER**

Lt. Cory Pulsipher of the Washington County Sheriff's Office reported that the number of search and rescues has fallen in the previous month, so the members have been conducting monthly trainings. There were two (2) incidents where people got stuck while trying to cross the Danish Ranch Road and one (1) incident of six (6) hikers trapped on Kolob Mountain. Twenty six (26) members responded to these incidents with a total of eighty-two and one half (82-1/2) hours.

Additionally, the Sunshine Rotary Club has donated over eleven thousand dollars (\$11,000.00) worth of equipment to the Search and Rescue Team.

**VOLUNTEER OF THE MONTH / LINDA SAPPINGTON**

Volunteer Center Director Linda Sappington presented an update on the activities of the Volunteer Center. In October, the Center entered into an agreement called Give a Day, Get a Day with the Disney organization whereby all people who have donated volunteer time in the County since January 1, 2010, will get a free ticket to Disneyland. The program was kicked off on television on Jan. 1, 2010; currently, over fifteen hundred (1,500) new volunteers have signed up in the County.

The requirement is to donate four (4) to six (6) hours of service in the community in exchange for the trip to Disneyland. In exchange for donated time, one can donate: three (3) receiving blankets; two (2) lap robes, or a crib-sized or larger tied quilt. The blankets will go to the local community first and then wherever they're needed in the world.

So far, two (2) workdays at Tuacahn were held, in which two hundred and fifty (250) people volunteered. Additionally, three thousand (3,000) flyers for Habitat for Humanity have been distributed, resulting in a spike in sales at the habitat store. A free Disneyland ticket may also be obtained by bringing in one hundred (100) crushed soda cans. Volunteers from the Center have also donated their services for Dixie College sports, the Water Conservancy District Water Conservation Garden, and the Santa Clara Community Garden. The Center is also supplying all the volunteers for the mini-Indy this year.

**PURCHASE REQUESTS / MARK BLANCH**

No items were presented today.

**CONSIDERATION OF ORDINANCE NO. 2010-991-O, AN ORDINANCE AMENDING AND SUPERSEDING TITLE 10, CHAPTER 9, OF THE WASHINGTON COUNTY CODE (PD PLANNED DEVELOPMENT ZONE)**

At the Planning Commission meeting on 2-9-10, the planner referenced the State Code requirement in amending the Washington County Land Use Ordinance, which requires a minimum ten (10) days published notice and twenty-four (24) hour posting of the agenda before other public meetings. This hearing was advertised properly. The County Commission wanted further review of the zone area's minimum district size, so smaller land areas are viable, such as forty (40) acre tracts. Planning Staff and the Commissioners met for a scheduled appointment for a special work meeting review on January 26<sup>th</sup>, 2010. The Commissioners said they did not want to be in the business of collecting impact fees for service to roads and infrastructure within these types of developments. Control on density, market place values, and property rights were discussed. Reference was made to the requirement of thirty (30) percent open space and the minimum of twenty-five (25) percent being landscaped. If naturally occurring areas are deemed inappropriate for development, then a percentage may be used as a part of open space; otherwise, these areas are excluded. Current ordinance allows for six (6) units per acre, and this revision shows base density of units per acre being at five (5) units: a density of two hundred (200) per forty (40) acres. The project plan will need to be of the entire development identifying specific phases, all inclusive circulation/transportation facilities, land uses, proposed densities, open spaces, natural site features, and walkways. A forty (40) acre project may be done in phases. It was determined that the minimum acreage requirement would be set at forty (40) acres for the planned residential development district. A suggestion was made to cut the difference in half, between one hundred sixty (160) and forty (40), which would be eighty (80) acres. The Commission declined this option, suggesting that if we start with forty (40) acres, and it doesn't work then the acreage size requirement should be changed.

**Facts and Findings:**

- Updates an outdated ordinance
- Consistent with ordinances adopted by surrounding communities within the County
- Compatible with the Vision Dixie Principles

All seven (7) Planning Commissioners unanimously voted aye on each fact and finding.

**MOTION:** Motion by Commissioner Drake to Adopt Ordinance No. 2010-991-O, An Ordinance Amending And Superseding Title 10, Chapter 9, Of The Washington County Code (PD - Planned Development Zone). Motion seconded by Commissioner Gardner and carried by

**unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2010-1424, A RESOLUTION APPOINTING MEMBERS TO THE COUNCIL ON AGING ADVISORY BOARD**

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1424, A Resolution Appointing Gayle Rohde and Ronald Lehm To The Council On Aging Advisory Board, with terms to expire 12-31-13. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2010-1425, A RESOLUTION APPROVING THE EXECUTION OF THE THOMAS CUSTODIAL/ MAINTENANCE AGREEMENT BETWEEN ROGER THOMAS AND WASHINGTON COUNTY WHEREBY ROGER THOMAS WILL PERFORM CUSTODIAL SERVICES AT THE WASHINGTON COUNTY NEW HARMONY LIBRARY**

Administrator Dean Cox said that the person currently performing custodial maintenance at the New Harmony Library does not want to go through the formalities and paperwork necessary to satisfy county requirements. Mr. Thomas currently performs this service at the St. George Branch Library, and for an additional two hundred and thirty four dollars (\$234.00) per month, he has agreed to incorporate the New Harmony branch into his other duties.

**MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1425, A Resolution Approving The Execution Of The Thomas Custodial/ Maintenance Agreement Between Roger Thomas And Washington County Whereby Roger Thomas Will Perform Custodial Services At The Washington County New Harmony Library. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF APPROVAL OF WASHINGTON COUNTY SHERIFF'S OFFICE POLICY MANUAL REVISIONS: FORCED CELL ENTRY, HEARING CONSERVATION, PHYSICAL FITNESS, POLICY MANUALS, STANDARDS OF CONDUCT, AND TRAINING**

These policy manual revisions are intended to satisfy the Utah Counties Insurance Pool (UCIP) requirements.

**MOTION: Motion by Commissioner Drake to Adopt Washington County Sheriff's Office Policy Manual Revisions: Forced Cell Entry, Hearing Conservation, Physical Fitness, Policy Manuals, Standards Of Conduct, And Training Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

#### **PUBLIC WORKS OR ROAD BUSINESS**

Public Works Director Ron Whitehead reported that a bid opening was held last week for the Santa Clara Re-vegetation Project at the Gunlock Emergency Watershed Protection (EWP) site. Out of four (4) bids, the low bid was Feller Enterprises of St. George, for sixty six thousand, four hundred and thirty seven dollars (\$66,437.00). Feller has been given the Notice of Award and is in the process of bringing in proof of insurance and other required documents. Mr. Whitehead asked the Commission to approve this award.

Additionally, the Road Crew received a compliment from a Dixie Deer resident on the road work that was done up there.

**MOTION: Motion by Commissioner Gardner to Award the Bid for the Santa Clara Re-vegetation Project to Feller Enterprises of St. George for sixty-six thousand, four hundred and thirty-seven dollars (\$66,437.00). Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

#### **COUNTY DEVELOPMENT AND PLANNING BUSINESS**

No items were presented today.

#### **Request an Executive Session**

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:18 p.m.

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CHRISTINE S. HALL  
DEPUTY CLERK

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JAMES J. EARDLEY  
CHAIRMAN